## THE TRAVANCORE CO-OPERATIVE SOCIETIES BILL.

**MR. KAYALAM PARAMESVARAN PILLAI** (*Additional Head Sirkar Vakil*): Sir, I rise to present the Report of the Select Committee on the Travancore Co-operative Societies Bill and move that the Bill as reported be taken into consideration.

**MR. M. GOVINDA PILLAI** (*Registrar of Co-operative Societies*): I second it.

**MR. S J. NAIR** (*Nedumangad*): Sir, the member was not at his seat while he seconded the motion.

**DEPUTY PRESIDENT**: The honourable member has changed his seat under orders of the President. Is there anybody speaking on the motion? Nobody seems to rise. The motion is therefore carried and we shall go on with the Bill Clause by Clause.

**Clause 1.**

Clause 1 was put to the vote of the House and carried.

**Clause 2.**

**MR. R. SIVARAMAN NAIR** (*Tiruvalla II*): I beg to move the following amendment.

*In Clause 2, after sub-clause (h), insert the following as sub clause (i):—*

*"Financing Bank" means a registered society the main object of which is to lend money to other registered societies."*

This is to include a definition of a "Financing Bank," because I have made some other amendment relating to that matter. A Financing Bank is one which advances money to primary societies. As such the Financing Bank is interested in the working of the primary societies. If a society is not working properly and if a Financing Bank has advanced loans to it, it is the duty of the Bank to see that the primary society works properly and the Financing Bank should be aware when a society is not working properly so that it may be on the alert to realise its money. With regard to this I have made an amendment to Clause 43 of the Bill. Clause 43 of the Bill relates to enquiry by the Registrar. The Registrar is given power under that Clause to make enquiry when he thinks that there is something wrong with any primary society. As a sub-clause I have added the following:—

> "When an enquiry is made under this Section the Registrar shall communicate the result of such enquiry to the Financing Bank, if any, to which the society is indebted."

**DEPUTY PRESIDENT**: Which Clause are you reading?

**MR. R. SIVARAMAN NAIR** (*Tiruvalla II*): Clause 43. I was saying that I propose to move an amendment to that Clause by adding a sub-clause.

**DEPUTY PRESIDENT**: All that comes at a later stage. We are now concerned with Clause 2.

**MR. R. SIVARAMAN NAIR** (*Tiruvalla II*) Sir, I am at Clause 2, but I was dealing with an identical Clause.

**DEPUTY PRESIDENT**: Alright, you can go on.

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MR. R. SIVARAMAN NAIR (*Tiruvalla II*) : Again in Clause 44 which relates to the inspection of books by the Registrar it is provided that the Financing Bank may be sent a copy of the inspection report by the Registrar. Because the Financing Bank is very much interested in the working of the primary societies it is very much interested to know how the societies are working. That is why I have included a definition of the Financing Bank. As I said before, the working of the primary society may be by the money advanced by the Financing Bank. So, in view of my amendments to Clauses 43 and 44 a definition is necessary. Hence I move this.

MR. K. R. ELENKATH (*Kalkulam I*): I second it.

DEPUTY PRESIDENT : The amendment was moved and seconded. Now I call upon the Registrar of Co-operative Societies to speak.

MR. M. GOVINDA PILLAI (*Registrar of Co-operative Societies*): Sir, I oppose the amendment. In opposing the amendment I do not object to the definition proposed by the honourable member. From the definition, it will be found that a Financing Bank is an institution whose *main* object is to finance other institutions. On an examination of the condition of the existing taluk banks, which correspond to the Central Banks in the Madras Presidency, it will be seen that they mainly finance individuals and not societies. In all the taluk banks the majority of the members are individuals and the major portion of their working capital has been lent to individuals and not to societies. In the absence of taluk banks, corresponding to the definition which is now proposed to be included in the Bill, it would be unnecessary and premature to have such a provision introduced. As a matter of fact, even at the time when the Devadhar Committee's Report was discussed in this House, the honourable members might have remembered that the competition of the taluk banks and the central bank with the primary societies was the most disquieting feature in the co-operative finance in Travancore. Unless the difficulties are remedied it will not be practical to include this definition in the Bill and until we are in a position to establish real financing banks, I am of opinion that this proposal may lie over till the proper time comes. For this reason, I would oppose the amendment.

The amendment was put to the vote of the House and lost.

Clause 2 was put to vote and added to the Bill.

**Clause 3.**

Clause 3 was put to the vote of the House and carried.

Clause 3 was added to the Bill.

**Clause 4.**

MR. R. SIVARAMAN NAIR (*Tiruvalla II*): Sir, I beg to move the following amendment —

*In Clause 4, substitute the following for the first proviso (ii) :—*

*"The liability of a society of which the primary object is the creation o funds to be lent to its members, of which the majority of the members are agriculturists and of which no member is a registered society, shall be*

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[Mr. R. Sivaraman Nair.]

*limited or unlimited according to the option of the members applying for registration and the members of a society of unlimited liability shall on its liquidation be jointly and severally liable for and in respect of all its obligations.*"

Sir, under the present sub-clause the liability of a society, of which the primary object is the creation of funds and of which the majority of members are agriculturists, is unlimited and the members shall be jointly and severally responsible for all its obligations. In almost all co-operative societies which are registered in rural parts almost all the members are ryots. But the work there is being done by some rich and influential men who co-operate with the ryots and who are willing to give their support to these societies. The ryots, though they may form the majority of the members of these societies, may not be able to manage the society by themselves. But for proper working and for the welfare of such societies it is necessary that some of the non-agriculturists who may be rich and influential in that locality must take part in the work of these co-operative societies. Under the Clause as it stands in the Bill in such co-operative societies the liability must be unlimited. That means even if the society fails all the liability of the members will be unlimited. Suppose in a co-operative society of 10 members 8 are ryots and 2 rich men. If such a society fails and if it is wound up the liability will be upon the two members who joined the others mainly for the purpose of encouraging those eight ryots. No money may be coming from those ryots. There is in the existing Regulation a provision to alleviate the difficulty of these two non-agriculturist members, *i. e.* there is provision for a reserve fund created by subscribing one-third to half of the profits. But under the present Bill even the reserve fund of such societies has been reduced to a smaller amount so that the whole liability of the ryots members falls on the few rich members who might have joined such societies to help the ryots. In so far as the reserve fund has been reduced the liability becomes all the more hard. Sir, it comes to this, that if any rich man joins a society of the poor ryots, there is every likelihood of the whole liability falling on him and he will have to meet the whole liability of the society if it is wound up so much so that very few of the rich people will join any such society. It is said in the Devadhar Committee's Report that for the working of such agricultural societies the hearty co-operation of the non-agriculturists and the rich and influential men of the locality are very necessary. We find in Travancore wherever any co-operative society is being run, its work is being mainly conducted by the influential and rich people of the locality, and as such, every facility must be given to safeguard the interest of such rich members. I find that under the present Clause it is compulsory that in all such agricultural societies the liability must be unlimited, so much so that none of these rich people may join any society. The reduction of the reserve fund is also against the interests of such rich members. If it is necessary that we should get the co-operation and participation of all

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least some rich men in the working of our co-operative societies,—if we think it essential that at least one or two rich men must join every ryots' society to guide and help them then we must make suitable safeguards for their interests. They may not stake everything they have got for the ryots. Why not we leave it to the members to have their society limited or unlimited as they please? Why should we make it compulsory for the agriculturist societies to have unlimited liability?

MR. K. R. ELENKATH (*Kalkulam I*): I have sent up almost an identical amendment to be moved. The Clause as it stands makes provision for registration of societies with only unlimited liability. Sir, of all financing institutions it is the co-operative societies that function to the greatest needs of the agriculturists. The rural population, the majority of whom are agriculturists, have to depend for their agricultural and other needs upon the funds that they are able to get advanced from the primary societies. The handicap that will arise if it is made obligatory that primary societies could get registered only if they are organised on the basis of unlimited liability would serve only to discourage the formation of useful societies. The movement is intended to serve all the people; the rich man should help the poor and the poor must be benefited by the co-operation between the rich and the poor. Now the rich would watch with suspicion and dread before being a party by entering the co-operative societies as a member, if the membership would involve a loss or risk of their personal properties. Now, Sir, the Banking Enquiry Committee in its Report said that only 8·5 per cent. of the needs of the villagers have been met by the funds provided by the society. Why is it, Sir, that even after the organisation of so much societies in this city the poor agriculturists should depend upon Joint Stock Banks and other institutions for their agricultural requirements? It is because the societies are not worked by proper men, by people who are willing and at the same time able to be partners in it and serve it usefully. The proper and needed men think that there is risk to them owing to the obligatory unlimited liability which may at any time carry away their own property and all their earnings for no obvious fault of theirs. Sir, the Devadhar Committee said that at the end of 1108 about Rs. 8 lakhs of the total working capital of the central bank was lying idle, while at the same time the primary societies and members of the same were put to the hardship of want of funds. So we see that it is not because we have no funds to finance primary societies and through them their members but because the primary societies are afraid to take loans from Banks for fear that they would be borrowing at the risk of the capital or property owned by the few rich and influential members who generally influence the decision of the committee and general body meetings, that these societies suffer from dearth of money. There should not be any restriction imposed by law with regard to the nature or basis for the formation of societies with limited or unlimited liability. It would not be to the interest of the agriculturists of this country to do so. With these words I second the amendment.

LIBRARY ARCHIVES Kerala Legislative Assembly

**MR. T. P. VELAYUDHAN PILLAI** (*Tiruvalla III*) : I oppose the amendment. My position is this. If the amendment is accepted it will not safeguard public interests and it will stand in the way of the healthy growth of the societies. I think it is indispensable to make liability of the members of such societies unlimited. My grounds are two. In the first place, we are every day experiencing the faction and differences of opinion among the members and the difficulties and troubles in the management of societies of which the primary object is the creation of funds to be lent to its members. Sometimes, the members who have taken loans from the societies will themselves try their best to create difficulties in the working of the societies with the avowed object of evading repayment. Certainly, that must be put an end to and that can be done only by making the liability of the members unlimited so that each member will be jointly and severally liable for and in respect of all the obligations of the society.

In the second place, societies, the primary object of which is the creation of funds for lending to its members, usually take loans from other financial societies and agencies. Such bigger financing agencies will be prepared to advance money to the smaller lending societies only if the liability of the members of such societies is unlimited.

Then again, Sir, if after a society has been registered on the basis of unlimited liability the members think that the liabilities should be made limited, or *vice versa*, there is ample provision in Clause 5 of the Bill for changing the liabilities of the members of the society. There is therefore no necessity for this amendment.

I oppose it.

**MR. K. KUNJUKRISHNA PILLAI** (*Quilon I*): I also oppose the amendment. I do so because it is against the very fundamentals of the co-operative movement. It is not the object of co-operation to collect some funds somehow, with the help of a few rich and philanthropic men who have no real interest in the movement, to get some dividend or profit and rest content with that. In fact, Sir, I think it is this attitude towards the movement that has been mainly responsible for the failure of the movement in this country. This has been the main defect. If we find defalcation, mismanagement and misappropriation in our co-operative societies, the one reason for that according to me is this. Members who know that their liability is only limited, take some shares in most cases due to pressure put upon them by the organisers of the societies, and remain indifferent. They do not take any real, active interest in the working of the societies on proper lines, which is more important than the paltry sums which they have invested. Every member who takes shares in a society must do it with a full knowledge of the real, fundamental principle of the co-operative movement. He must accept the principle of "each for all, and all for each". If it is not possible for us to get enough of such men to organise co-operative societies, here it is better that we do not have any societies at all. The amendment, now proposed by my friend; negatives the fundamental principles of the co-operative movement. That is my first objection to it.

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Sir, the co-operative movement is not intended merely to make it possible to get cheap credit for the people of the country. It has got a more substantial object, a more worthy aim. The ideal of the movement is to create good human beings, self-respecting human beings, and to foster mutual trust. For all these, we must have the principles of unlimited liability. All the members of the societies, the rich and the poor alike, must work together on a basis of equality. Irrespective of the varying degrees of credit that the various members have, they must all work together with mutual trust for the purpose of doing business in the right manner, consistent with the ideals and the spirit of the co-operative movement. We should not be carried away by the fact that if the liability is made unlimited, we might not get financial aid from some of the rich men who might come forward with their money if the liability is made limited. I do not care for the paltry sums that may be forthcoming from the few rich men in our country. What we want is mutual trust, mutual co-operation and a feeling of equality and self-reliance. This amendment strikes at the root of all these ideals of the co-operative movement. Hence, I very strongly oppose it.

**MR. K. R. ELENKATH** (*Kalkulam I*): Is it the member's opinion that unlimited liability imposed by legislation will be an incentive to rich men joining the movement?

**MR. K. KUNJUKRISHNA PILLAI** (*Quilon I*): I do not at all care whether the rich man is given any incentive to join the movement. I would much rather sacrifice the rich man's financial help. I care for the real spirit of the co-operative movement. I would rather pin my faith on the noble ideals of the movement. It would be enough if we have a small number of societies working on right lines. I have no glamour for the so-called rich man throwing out his money at the co-operative societies without any real interest in the movement.

**MR. K. R. ELENKATH** (*Kalkulam I*): May I know.....

**DEPUTY PRESIDENT**: Order, order.

**MR. K. KUNJUKRISHNA PILLAI** (*Quilon I*): I have not yet finished my answer, Sir; I do not yield till I finish my answer.

**DEPUTY PRESIDENT**: He has not yet finished his answer. Mr. Elenkath will please wait.

**MR. K. KUNJUKRISHNA PILLAI** (*Quilon I*): Rather than breaking the principle for the sake of the rich man's money I would be satisfied with a small number of genuine co-operative societies worked on proper lines.

**MR. K. R. ELENKATH** (*Kalkulam I*): May I ask how, without the co-operation of the few moneyed men in the villages, the poor people, for whose benefit co-operative societies are organised, will find funds?

**MR. K. KUNJUKRISHNA PILLAI** (*Quilon I*): The poor people will start these societies with such funds as they have at their disposal; and if they do honest and good work, the bigger lending societies will have no hesitation whatsoever in giving them financial help. I do not think there is any restriction in regard to the membership of these societies. We do not exclude the rich man. It is open to him to join the societies in the right spirit. As I have already stated, Sir, I attach more



LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. K. Kunjukrishna Pillai.]

value to the fundamental principles of the movement being upheld than to the few hundreds of rupees of the so-called rich man who has no interest in the movement.

There is also the other point, Sir, alluded to by my friend Mr. T. P. Velayudhan Pillai. Unless there is unlimited liability, the bigger financing agencies will not trust the smaller lending societies with their money. But, Sir, that is only a minor point so far as I am concerned. I want the real spirit of the movement to be upheld. Therefore I oppose the amendment vehemently.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I too oppose this amendment. If the co-operative movement in Travancore has any defect it is this; the societies have all tended to become lending societies. There is a feeling in the villages that these societies are becoming a plague to the people. As Mr. Kunjukrishna Pillai pointed out, *every one* of the members must have trust in *every one else*. Unless there is that mutual trust, there is no use in having co-operative societies.

Further, Sir, the bulk of the members of these societies are agriculturists. Especially in the light of the Agricultural Debt Relief Bill that we have passed, nobody would be prepared to finance these societies, composed as they are mostly of agriculturists, unless the liability is made unlimited.

Sir, I oppose the amendment.

The amendment was put to the vote of the House and lost.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I beg to move that *Part (ii) of the first proviso be omitted.*

This measure gives the power to the Registrar to register a society either on the limited liability basis or on the unlimited liability basis. With regard to the limited liability basis the first part says..... .....

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): On a point of order, Sir. The object of Mr. Asan's amendment is to make a provision that the liability of a society may be limited or unlimited. Therefore it touches the decision that the House has already arrived at.

MR A. S. DAMODARAN ASAN (*Mavelikara*): I shall explain, Sir. Mr. Sivaraman Nair's amendment was to the effect that, in the case of societies with a majority of agriculturists, it shall be left to the members, who apply for the registration of the society, to determine the nature of their liability. The object of my amendment is that, irrespective of the question whether the majority of the members are agriculturists or not, it should always be left to the members of the society to determine the nature of their liability.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): To that extent, it goes against the decision we have already arrived at.

LIBRARY ARCHIVES Kerala Legislative Assembly

**MR. A. S. DAMODARAN ASAN** (*Mavelikara*) : My amendment is more comprehensive.

**DEPUTY PRESIDENT** : I really think that the amendment, sought to be moved by Mr. Damodaran Asan, in so far as it has been explained, goes against the decision already arrived at. I do not think the amendment can go on.

The question that Clause 4 do stand part of the Bill was put to vote and carried.

The Clause was added to the Bill.

**Clauses 5 to 9.**

The question that Clauses 5 to 9 do form part of the Bill was then put to vote and carried.

The House adjourned for lunch at 1-2 P. M. and reassembled at 2 P. M. with the President in the Chair.

**Clause 10.**

**MR. R. SIVARAMAN NAIR** (*Tiruvalla II*) : I move the following amendment:—

*In Clause 10, line 3, substitute the words "shall" for the words "may if he thinks fit,"*

The Clause as it stands vests a discretion in the Registrar to refuse the registration of a society even though the applicant has complied with all the provisions of this Regulation and the Rules that may be framed thereunder. I do not know why such a discretion is vested in him. It is true that provision has been made for an appeal to the Government. In so far as no provision is made in this Regulation asking the Registrar to state the reasons for the refusal of registration, it is not known how the appellate authority will proceed with the disposal of the appeals. One could understand the appellate authority interfering, if the Registrar refuses an application, because it is against the provisions of the Rules passed under this Regulation. But as the Clause stands it is a matter of arbitrary discretion vested in the Registrar. My amendment says that if an applicant has complied with the provisions of this Regulation and the Rules thereunder the Registrar must register that society. I will give no discretion to the Registrar if the applicant has complied with this Regulation and the Rules.

**MR. K. R. ELENKATH** (*Kalkulam I*) : Sir, I rise to second the amendment. In regard to the co-operative societies, it is improper to invest authority in the Registrar to refuse registration of societies. As Mr. Sivaraman Nair has pointed out it is within the power of the Registrar to see whether the bye-laws of a society conform to the Regulation and the Rules thereunder or whether there is any possibility of inringment of the Rules by the societies. But in cases where there is no such infringment and the members of a village desire to form a society for the benefit of their village, it will be quite undesirable to leave the possibility of registration to the discretion of an officer, I mean the Registrar. Of course it may be that we are having a responsible officer

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. K. R. Elenkath.]

to discharge that duty by using proper discretion. That apart I doubt very much whether it will be proper on principle to invest such a discretionary power with the Registrar. My view is that the co-operative movement is a preeminently non-official one. The persons who are willing to become members in an organisation of such a character, for doing useful service to a village should not be hampered by an act of the registering authority. With these words I support the motion.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I oppose the amendment. Mr. Sivaraman Nair and Mr. Elenkath seem to be under the impression that co-operative societies are like joint stock companies. In the case of joint stock companies, all that we want to achieve by registration is to give it a corporate status. We do not by means of the registration confer upon them special privileges or concessions. But in the case of co-operative societies they get by registration not merely a corporate status but also certain very valuable privileges. The object of according such concessions is to foster the co-operative movement. It is therefore necessary that before a society is registered the Registrar should be satisfied that there are reasonable chances of the society working successfully and that the members show a determination to carry on the work of the society according to co-operative principles. The Registrar has thus to satisfy himself not only that the society complies with the provisions of the Law and Rules, and that its bye-laws are not contrary to the Law or to the Rules, but also that it is a society fit to be registered; and the expression 'if he thinks fit' is meant to imply that the Registrar is satisfied that there are reasonable chances of success with reference to local conditions, *i. e*,, that the members have a genuine need which they want to meet and that they have a determination to carry on the business of the society according to co-operative principles. The idea is that the Registrar must ensure the chances of success from the very beginning. The Maclagan Committee on co-operation says:

> "The existence of faulty societies is generally due to hasty registration: and we would repeat that no pains should be spared to make a full enquiry into all applications. Full reports should always be required from the agency by which a society is organised and certain specified heads should be laid down on which information should be furnished. We hold it necessary, for instance that the Registrar should be able to ascertain (1) whether the proposed members have really assimilated the principles of co-operation, (2) whether they appear to be too involved in debt to make a society successful and for this purpose a statement showing though not in great detail, the assets and liabilities of intending members should be submitted, (3) whether adequate working capital is available in the movement, (4) whether the applicants are men of good character and the village a a whole free from the taint of litigiousness, (5) whether means are at hand to provide for the necessary supervision of the society when formed Enquiry should also be made as to the suitability of the proposed secretary and committee".

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It will thus be seen that a co-operative society is entirely different from a joint stock company. Though they are similar in respect of corporate status and may in that sense be deemed to be individuals having independence, the co-operative societies are really the pet children of the State and have to be fostered by the State. We have therefore to judge whether each applicant for registration would comply with the requisite conditions.

**MR. K. R. ELENKATH** (*Kalkulam I*): May I know the criterion of such a status among members who have not formed themselves into such a society?

**MR. KAYALAM PARAMESVARAN PILLAI** (*Additional Head Sirkar Vakil*): No criterion can be laid down by hard and fast rules. That is why it is proposed to be left to the judgment of the Registrar.

**MR. R. SIVARAMAN NAIR** (*Tiruvalla II*): Is the honourable member willing to accept my next amendment *viz.*, the substitution of the words "shall unless for reasons given in the order he seems fit to refuse to" for the words "may if he thinks fit"?

**MR. KAYALAM PARAMESVARAN PILLAI** (*Additional Head Sirkar Vakil*): I will speak on it when it is moved.

The amendment was by leave withdrawn.

**MR. R. SIVARAMAN NAIR** (*Tiruvalla II*): Sir, I move the following amendment —

*In Clause 10, line 3, substitute the words "shall unless for reasons given in the order he sees fit to refuse" for the words "may if he thinks fit"* :—

The advantage of this amendment is that a discretion is given to the Registrar. Only he has to record in writing his reasons for refusing registration so that the appellate authority may go into the question and decide the appeal. It meets the objections of the Law Member which he raised when I moved the former amendment. It makes the provision for appeal more useful and effective. It enables an applicant to know why registration is refused in any particular case.

**SADASYA TILAKA T. K. VELU PILLAI** (*Trivandrum-Urban*): Sir, I second the amendment. Mr. Sivaraman Nair concedes that a discretion should be vested in the Registrar. All that the amendment aims at is that, if on enquiry the Registrar is satisfied that a certain society is not fit to be registered, he should give those reasons and the appellate authority will be enabled to find whether the reasoning of the Registrar is correct or not. Sir, it is absolutely necessary to invest the Registrar with discretionary powers as he is the very soul of the co-operative movement. Mr. Sivaraman Nair's amendment is therefore well conceived because the discretion of the Registrar is not tampered with and the Government also is at an advantageous position.

**MR. KAYALAM PARAMESVARAN PILLAI** (*Additional Head Sirkar Vakil*): Sir, I oppose this amendment. I grant that there is a right of appeal to the Government. But this appeal to Government should not be confused with an appeal to the Civil Courts. In the Civil Courts

LIBRARY ARCHIVES Kerala Legislative Assembly

[M. Kayalam Paramesvaran Pillai.]

the appeal is made on specified grounds arising out of a judgment. In an appeal to Government in cases of the kind now in question what happens is that upon the grounds urged by the appellant the Government will call for a report from the Registrar and his report will be considered before passing orders.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Has the appellant any chance of criticising the Registrar's report to Government?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The appellant puts forward his case before Government on which they consult the Registrar.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*); How can the parties know the reasons urged by the Registrar?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The appeal is filed by the applicant on various grounds. Those grounds are referred to the Registrar for report. And that report is considered by Government. Very often it may also be that the grounds mentioned by the Registrar must be treated as confidential as they would touch the individuals who applied for registration.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): I support the amendment for the very same reasons urged by the Law Member. We were left in doubt whether the reasons for rejecting an application for registration should be recorded in writing as required by common law and equity. Now the Law Member has made it clear that it is not the intention of the Bill that the Registrar should give any reason for refusing registration. It is said that, when the original applicant appeals to the Government, he will only have to repeat what he has stated before the Registrar. He is not left any choice to add to what he has stated in his application before the Registrar. Suppose there is a factious spirit among the applicants who want to organise a society, and the Registrar refuses registration on that ground. That reason will according to the Law Member be given only in the final report of the Registrar to Government to which alone the party is allowed access. Even that is doubtful.

On the other hand, if he knows beforehand that there is a remark in the Registrar's report or that is one of the grounds which weighed with the Registrar in refusing the application for registry, he would be giving information from his own stand point so that the Government could decide the question to the satisfaction of both the parties. Even if an appeal is filed, Government will be helped considerably in meeting out justice to the parties concerned. There is absolutely no ground in what was urged by the Law Member and it is against all fundamental principles of justice to refuse application for registry in this manner. The Law Member stated that we have to make a distinction between an appeal before a Civil Court and this. My submission is that justice requires that a party ought to be told

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what he has to answer. A party ought to be told why an application made by him is refused by the Registrar. I am quite sure that the House will be glad to support this amendment and thus see that the Registrar is obliged to state his reasons before he exercises his discretionary powers to refuse the application for registration.

**MR. K. KUNJUKRISHNA PILLAI** (*Quilon I*): Sir, I oppose the amendment. Anyhow, the discretionary authority vested in the Registrar for refusing the registry of a society should be kept in tact even though the society satisfies the ordinary rules. Due to a variety of reasons which it may not always be advantageous for the Registrar to expose, because he holds not merely his official position, but he is the friend, philosopher, and guide to the co-operative movement, it is necessary that this provision is kept as it is. Only in very rare cases the Registrar would be compelled to expose every thing when he has got to refuse the registry. In the practical working it will be difficult because in making allegations he has to adduce reasons which the societies or individuals compsosing it may not wish to be published. It is likely that the society itself may not be willing to publish it or it will not be in the interest of the society itself to get the reasons published. It must be remembered that the Registrar has to deal with the public in general. He should not be compelled unnecessarily to create ill-feeling in the society in which he has to work. I find there is absolutely no difficulty in practice, for, an appeal lies with Government and the party can state that his application was dismissed for no fault of his. On that application a report will be called for and, on that report, the Dewan himself may ask the party and find out the grounds for refusing the registry. It becomes necessary for the party to meet the charges only when so required. That is the appropriate time for the party to explain his position. So in the interests of a society itself, there need not be unnecessary publicity. The party need not be asked to explain *seriatim* the reasons that weighed with the Registrar to refuse the registry of a society.

The main point centres round this. This question has to be decided and it will crop up in various other Sections that will come up for discussion. The question is whether we should vest some authority on a Government officer like the Registrar. If it is deemed necessary, in the present development of the co-operative movement and the present conditions that a substantial power of control and substantial powers of discretion have to be vested in the Registrar, the present provision is necessary. If you are going to put some power in the hands of the Registrar then the next question will be most easy. It will not be right to stress too much an mere theories and technical rights. If we are careful only to safeguard the interests of the development of the co-operative movement in the right spirit, I think, if that principle is conceded, there will not be a substantial objection to this provision. Hence I oppose the amendment.

LIBRARY ARCHIVES Kerala Legislative Assembly

**MR. S. J. NAIR** (*Nedumangad*) : I too oppose the amendment. The duty of the Registrar is to advance the co-operative movement in the State. We are sure that this measure is purely intended for the sole object of the advancement of the co-operative movement : and, if the society satisfies the provisions for registration of it, the Registrar would certainly register it. There will be certain special circumstances under which the Registrar shall have the power to refuse the registration of a society. If we look into the history of the co-operative societies in Travancore to-day a sad tale has to be told about their existing condition. I had something to do with the working of the co-operative societies in my own taluk. I know something about the actual working of those societies. The present working is not at all satisfactory. Such being the case the Registrar must be empowered with certain unfettered powers so far as the conduct, registration and supervision of the societies are concerned. Therefore I think the present provision, as it is, is correct and conducive to the best interests of the co-operative societies.

**MR. K. PADMANABHAN** (*Chirayinkil I*) : Sir, I rise to support the amendment. In my own view, the amendment suggested is quite necessary. Some reasonable facilities should be given to the aggrieved party to prefer appeals. The Registrar should be given full powers for refusing or allowing the applications for registration of societies. If the Registrar says arbitrarily that a particular society is not necessary in a locality, opportunity should be given for the applicant to explain his position. Unless the Registrar states the reasons upon which registration is refused it would not be possible for the person preferring an appeal to state the grounds upon which the decision of the Registrar has to be set aside. Only when both parties are heard one can judge whether what the Registrar has reported is true or not. It should be open to the aggrieved party to state his reasons for the existence of a society. It is only then that the appellate authority can reasonably form an opinion as to whether the existence of a society is in the interests of the public or not. On these grounds I support the amendment.

The amendment was then put to the vote of the House and lost.

The question that Clauses 10 to 21 do form part of the Bill was then put to vote and carried.

Clauses 10 to 21 were added to the Bill.

**Clause 22.**

**MR. R. SIVARAMAN NAIR** (*Tiruvalla II*) : Sir, I move the following amendment :—

*"In Clause 22, sub-clause (1), line 3, add the words "but no charge shall be made in respect of any audit under this Section" after the word "year".*

Under Section 17 of the present Regulation there is a provision similar to this. It has been the practice from 1089 onwards, since the

LIBRARY ARCHIVES Kerala Legislative Assembly

passing of the Co-operative Societies Regulation till to-day, that no fee is charged for departmental audit. We know, as a matter of fact, that many of these societies are working at a loss and they have not sufficient funds even for their ordinary routine work.

Particularly now, owing to the acute economic depression and other causes, very few societies earn profits worth the name and, to make them liable to payment for departmental audit in addition to their own audit in the present circumstances, will be very hard and a reversal of the beneficent policy hitherto followed by the Government.

It must be remembered in this connection that co-operative movement is necessarily a non-official movement. The service of these non-officials is honorary. A free departmental audit is one of the benefits which the Government can give to these poor societies. It may be said that some of these societies will be able to pay for their audit. But it must be remembered that such societies are very few. They can be counted on one's fingers.

My amendment is only that the practice which had been in existence since 1089 must be continued, *i. e.* departmental audit must be continued without charging the societies for the same.

MR. K. R. ELENKATH (*Kalkulam I*): In seconding the amendment I would like to mention that the enactment with a provision giving power to the Government to levy a fee or not to levy the same for audit according to their discretion and not make it obligatory on the part of the Government or the department to conduct free audit is both undesirable in principle and disadvantageous to the interest of the societies. We know that one of the fundamental differences between Co-operative Societies and Joint Stock Companies in the matter of Government control and patronage is that co-operative institutions get many privileges and immunities, such as facilities for arbitration, exemption from stamp duty, advantages of free audit, etc. The Law Member had been pointing out in support of his argument for investing the Registrar with wider powers that the co-operative societies have greater advantages and privileges as against the joint stock companies and so he did not grudge wide powers being invested with the Registrar. I ask, Sir, why should one of such benefits, and that I should think a very important and beneficial privilege as right of free annual audit which had been conferred upon them, be taken away now. Auditing is one of the most important factors that go for the proper control and better management of the societies. This Clause ought to provide for free audit not merely at the option of the Government or the Registrar but for compulsory free audit in the interest of the co-operative societies. Section 17 in the existing Regulation specifically states that the annual audit should be conducted free of charge whereas in the present Bill the relative Clause deliberately omits to mention the same. Therefore I request the House to consider this matter with all seriousness and with the interest of the society at heart and see that this amendment is carried.



LIBRARY ARCHIVES Kerala Legislative Assembly

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Is there any provision asking that fee should be levied for audit in all cases?

MR. K. R. ELENKATH (*Kalkulam I*): No, but while in the existing Regulation it was specifically laid down that no fee should be levied for audit, in the Bill under discussion that has been deliberately omitted thereby giving the discretionary power to levy fees or not at the option of the Registrar. By the amendment what is meant is to make it obligatory on the part of the department to conduct the annual audit free of charge.

PRESIDENT: Moved and seconded that in Clause 22, sub-clause (1), line 3, add the words "but no charge shall be made in respect of any audit under this Section" after the word "year".

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I oppose the amendment. It is not stated anywhere under this Section that any charge will be levied for an audit. The amendment says that in no case a charge shall be levied. Even in the case of societies that are able to pay for their audit no charge should be levied. That is what the amendment says. That will be the effect if this amendment is carried. Supervision, audit and inspection, are the important necessary duties in the functioning of co-operative societies. Government, for the purpose of helping the co-operative movement in its infancy, undertook these functions. Though Government was helping the co-operative movement by doing those functions in its initial stages I think that the principle underlying it is deterimental to the interest of the co-operative societies themselves because the co-operative society members may think that Government will do everything for them and so they need not look carefully into the transactions of the society. That will be cutting at the very root of the self-governing principles of societies. The co-operative movement to a very large extent is a non-official movement and as such it should stand upon its own legs whenever occasion arises. Of course there may be occasions when it may not be possible to do so, and in such circumstances there is nothing to prevent the Government to go to its help. But a society that is able to conduct audit out of its own funds should do it. In the larger interests of the societies it should do it and realise that it is one of its duties. Their duty is not merely to borrow money and become members of societies and carry the honour of being members thereof. They have got also obligations and responsibilities. Training in one's own responsibility is a spirit that is sought to be created by the co-operative movement. It is highly necessary that the members who watch the work of the societies should carry out their obligations and responsibilities carefully.

MR. K. R. ELENKATH (*Kalkulam I*): May I know whether the departmental audit is conducted by the paid servants of the Government?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*); Yes, sometimes. I also know that it is conducted not only by paid servants.

LIBRARY ARCHIVES Kerala Legislative Assembly

**MR. M. GOVINDA PILLAI** (*Registrar of Co-operative Societies*) : I have to point out one fundamental misconception on the part of the opponents of the Bill. In the existing Regulation there is a provision that no charge shall be levied for the audit of societies. In the present Bill this provision has been deliberately deleted. The co-operative movement has been in existence for over twenty years and the Government naturally thought that societies which are capable to pay towards the charge of audit should be made to pay it. It is not the intention of the Government to levy fee for the audit of *all* societies. It was stated by one of the honourable members that even primary societies will have to bear the audit fee. That is not the intention of the Government. As the members are aware, in Madras, fee is levied for audit in respect of societies whose working capital exceeds a certain amount. There the limit has been fixed at Rs. 20,000. There is no primary society, much less even taluk banks, which can boast of a working capital of over 20,000 rupees.

**MR. K. R. ELENKATH** (*Kalkulam I*) : Then, may I know the necessity for such a Clause in this Bill ?

**MR. M. GOVINDA PILLAI** (*Registrar of Co-operative Societies*) : Government feel that the time has come when societies which are competent and capable are made to meet the expenses of audit. The intention of the Government is to levy a charge on societies that are capable of contributing that amount and it is certainly the intention of the Government to follow the precedent of Madras and other Provinces to levy fees in respect of societies whose working capital exceeds Rs. 20,000. If it is Rs. 20,000 in Madras, probably we will have to reduce it a little.

**MR. K. R. ELENKATH** (*Kalkulam I*) : May I know the number of societies in Travancore whose capital exceeds Rs. 20,000 ?

**MR. M. GOVINDA PILLAI** (*Registrar of Co-operative Societies*) : Very few societies. The definite number is not with me now. But I may say that the number will not exceed 10.

Therefore I oppose the amendment.

The amendment was put to vote and lost.

**MR. K. R. ELENKATH** (*Kalkulam I*) : Sir, I beg to move the following amendment :—

> *"In Clause 22, substitute the words "to summon at the time any paid servant of the society" for sub-clause (4) (i)".*

The Clause as it stands gives power to the Registrar to summon persons not very intimately connected with the society and whose services may not be quite useful for eliciting information on the audit or on any other enquiry. The books and records of the society can be made available from the paid servants and that would be quite sufficient for the purpose to which the Clause relates. But the power that is invested with the Registrar according to the present provision may lead to many hardships and inconveniences to persons in various avocations

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. K. R. Elenkath.]

in life who may be residing even in distant places; for they are obliged to appear before the Registrar in response to his summons if the officer is of opinion that his evidence or statement would be of value. We are investing a very wide power with him by empowering him to summon any officer, agent, servant, or member of the society. Note that a person need only be a member for being summoned. He cannot but respond to the summons although his services may not be of any benefit or advantage in the matter of obtaining useful information. For serving the purpose of the provisions of the Bill and for the efficient auditing of the society I think that the power of summoning the servants only of the society is necessary, adequate and desirable.

**MR. POTTAYIL S. KRISHNA PANICKAR** (*Shertala II*): Is the Secretary a paid servant?

**MR. K. R. ELENKATH** (*Kalkulam I*): In some cases the Secretary is honorary and in some cases he is paid. It differs in accordance with the bye-laws or resolutions of particular societies on the matter

The amendment fell through as it was not seconded.

Clause 22 was put to the vote of the House and carried.
The Clause was added to the Bill.

**Clause 23 34.**

Clauses 23 to 34 were put to the vote of the House and carried.
The Clauses were added to the Bill.

**Clause 35.**

**MR. R. SIVARAMAN NAIR** (*Tiruvalla II*): Sir, I beg to move that:—

"*In Clause 35, sub-clause (3) may be deleted, and others re-numbered*".

Sub-clause (3) reads "Notwithstanding anything contained in sub-section (1) and (2), a registered society may make a loan to a depositor on the security of his deposit".

Sir, this provision empowers a society to give loans to people other than the members of the society itself, namely to those who make deposit in the society. This is against the elementary principles of co-operation. One of the main principles of co-operation is that the benefit of a co-operative society must be restricted as far as possible to the members of that society. It is said that a society could deal only with its own members. It is the duty of a society to confine its benefit to its members and its members only. Sir, restriction is made not without any reason. The learned author H. Calvert in his book on the Law of Co-operation, at page 151 says:—

"This prohibition against transactions with non-members is based upon two considerations. Firstly co-operative societies are associations for mutual help amongst members. They render the best possible service at the lowest possible rate and make no commercial profit. Any surplus is to be returned to the members either as a bonus upon their transactions or as an addition to the societies' reserve fund. If a society regularly deals with non-members it makes a commercial profit out of them and opens a door to grant for dividends.....

LIBRARY ARCHIVES Kerala Legislative Assembly

Secondly, co-operation stands for fair play all round. It is open to any body of men to associate together to improve their economic position by legitimate means but if they compete with private traders they lose their right to special privileges. The private traders have a right to insist that co-operative societies must not compete with them for custom of non-members."

Again on P. 248.

"The co-operative society excludes the public whenever it is possible to do so and conducts its operations as on a common account for the mutual benefits of members alone." Also on page 449, writing of Quebec it is said that "all the benefits of the association must be confined to members"

These are the principles on which transactions with non-members are restricted as far as possible. Under the existing Regulation loans to non-members are not allowed. If any one wants a loan he will have to become a shareholder of that society and then only he is entitled to get a loan. If non-members are allowed to take loans, that will lead to complications. If there is any dispute between the debtor member and a society the Registrar can arbitrate and the parties need not go to a civil court. In the case of a non-member who is a debtor to a society, if any dispute arises between him and the society he will drag the society to a civil court for the settlement of the dispute. This will greatly prejudice the working of that society. This Bill itself has made provisions to exempt the societies as far as possible from the jurisdiction of civil courts. Thus, Sir, we see that it will not be in the interest of societies to allow them to give loans to non-members. Hence my amendment.

**MR. A. S. DAMODARAN ASAN** (*Mavelikara*): I second it.

**MR. M. GOVINDA PILLAI** (*Registrar of Co-operative Societies*): While I do not demur to the general principles quoted by the honourable member, I have to oppose the amendment. This provision was inserted in the Bill after careful investigations were carried out by the Devadar Committee. The Committee collected evidence throughout the State which showed that the volume of opinion in favour of the change was great. We have the support for this change not only in the Madras Acts but also in similar enactments elsewhere. In Madras no prohibition is put on an outsider to deposit or take loans from a society. Loans were given to them on the security of their deposits, but to an ordinary member, on the strength of personal security or immovable property. I don't think that there is any great danger as my friend apprehends by the inclusion of this Clause in the Bill. The fact is that in Madras where an identical provision has been brought into effect no disastrous effects have followed. We must consider the inclusion of this provision as it will tend to induce more members to join the movement. I therefore oppose this amendment.

The amendment was put to the vote of the House and lost.

The question that Clause 35 do stand part of the Bill was put to the vote of the House and carried.

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. M. Govinda Pillai.]

**Clauses 36 to 38.**

Clauses 36 to 38 were put to the vote of the House and carried.
The Clauses were added to the Bill.

**Clause 39.**

**MR. K. R. ELENKATH** (*Kalkulam I*): Sir, I move the following amendment:—

*"In Clause 39, for sub-clause (2), substitute the present law relating to reserve fund as contained in rule 14."*

Sir, the report given by the Devadar Committee has made it clear that if there is any salvation to be attained by the co-operative movement, Reserve Fund should be maintained by every society.

**MR. A. S. DAMODARAN ASAN** (*Mavelikara*): Sir, on a point of order. I would like to know in what particular Clause the substitution should be made.

**PRESIDENT**: Order, order. The member is referring to Clause 39 and he is moving an amendment to substitute another provision from another law in the present Bill. I rule that amendment out of order.

Clause 39 was put to the vote of the House and carried.
The Clause was added to the Bill.

**Clauses 40 to 46.**

Clauses 40 to 46 were put to the vote of the House and carried.
The Clauses were added to the Bill.

**Clause 47.**

**MR. K. R. ELENKATH** (*Kalkulam I*): I beg to move that *Clause 47 be deletd.*

Sir, this is the most objectionable provision in the whole Bill. By this provision the Registrar is given the power of superseding a committee which manages the affairs of a society. Sir, the co-operative movement is primarily a non-official one. And if it should work, the members of a society should be allowed to have an unfettered hand in the management of the society's affairs. If an authority, supreme and uncontrolled, is vested in the Registrar, it stands the risk of being abused and the result affects not only the members but also depositors who are non-members. This proviso is neither conducive to the betterment of the movement nor would it help to put faith in people who still keep outside it. The Registrar ought to be the friend, philosopher and guide to the movement. He should also work hand in hand with other co-operative workers but at the same time he should guide the broad policy of the movement by working through better and useful channels.

Now, Sir, this Clause is revolting to the sentiments and principles of nationalism and self-governing institutions. The primary societies are formed by voluntary consent of persons who constitute it, and under bye-laws which they have formed, in accordance with the Regulation. They elect their own committee who are persons in whom they have

LIBRARY ARCHIVES Kerala Legislative Assembly

confidence and in whose capacity they have unflinching faith. Now, Sir, if the committee according to the opinion of the Registrar is found to be defective or faulty or if he thinks that he cannot make the society work with the committee, he is empowered to dissolve the whole committee after giving a chance to elect another committee which is liable to meet with the same fate. Sir, it must be remembered that, in such institutions as co-operative societies, one can take the horse to the pond but a thousand men cannot make it drink. In an area where a co-operative society or a co-operative bank works no body can strive for or move an inch towards the progress of the movement except its members, the villagers and the share holders. This fact has been lost sight of by the framers of this Bill, when they inserted their obnoxious Clauses. In support of the provision that has been inserted here it has been argued that in Madras and in Bombay and other Provinces, the Registrars have been given such powers. But it is forgotten that even in those Provinces where such powers have been invested some of the important co-operative institutions such as the Financing Banks and others have been omitted and brought outside the purview of the provision. I would object to even such a procedure of investing huge and varied powers with the Registrar. Now, Sir, the Bill as it is, has attracted the attention of not only Travancoreans but also outsiders. One of the resolutions passed in the committee meeting of the All India Co-operative Unions and banking institutions, held at Fyzabad recently, deserves great attention. It says as follows :—

> "This committee is of opinion that the Travancore Co-operative Societies Bill tends to officialise unduly the movement and it should be so amended as to make it consistent with the ideals of co-operation as a popular movement."

Sir, one of the greatest co-operators in India who knows the working of almost all the big co-operative institutions, I mean Mr. V. Ramadas Pandalu Guru, has said that this Bill is the most retrospective of all Bills in the Provinces or States hitherto passed. Although we find certain similar provisions in this Bill as in British India, the Bill as it is, especially Clause 47 is not found in any other enactment in India. My appeal to the co-operators in this House is that they will as one body disapprove of all such arbitrary and wide powers being invested with an individual, as it is provoking and insulting to their self-respect and to the principles of co-operation.

MR. M. SIVATANU PILLAI (*Tovala*) : Sir, I rise to second the motion moved by my honourable friend Mr. Elenkath. If in any particular place the managing board is not working properly to the interests of the society it is open to the general body meeting to revise the managing board and to bring in a new board. Here, according to this Clause, the managing board may be working properly to the liking and satisfaction of the general body. But if it does not work to the liking of the Registrar, the managing board goes. Thus, in other words, the managing boards according to this Clause, ought to exist with the distinct approval of the Registrar. If it does not get the stamp of approval of the Registrar that cannot function. Granting that the Registrar is a very responsible person, a friend, philosopher and guide why should he not

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. M. Sivatanu Pillai.]

give due consideration to the opinion of the general body meeting and dissolve a particular managing board, if it is not conducive to the interests of the members? If it is not for the good of the society for whose good is the managing board appointed? If it is not for the good of the society is it co-operation? If it is so, it is co-operation with a vengeance. There are other reasons for deleting this provision in respect of appointing the managing board. As my friend referred, even such powers may be exercised by the Registrar in respect of Taluk Boards and Financing Banks also. In other words the Registrar is trotted out as a supreme Demi-God. That is a thing which no real co-operator can accept. You will find from the provisions of the Bill that certain Clauses were copied from the Madras Act. But there are other provisions in the Bill which go against the provisions of the Madras Act but are taken from the Bombay Act, and certain other Clauses are taken from the Panjab Act. These are jumbled together and thrown up for this House to accept. I do not know whether the House has realised these inconsistencies in the Co-operative Bill as revised by the Select Committee. With this, Sir, I wind up that this is a highly retrograde step. If the particular managing board is not found working properly, why not liquidate the society or cancel it? For whose benefit does it exist? Why should there be the Registrar to come out and say "this is not good for you; but I will give you this Bill". Here is a question of co-operation highly questionable. A Co-operative society means that people have joined together voluntarily and have agreed to work for their mutual benefit. So this Clause as it stands militates against this fundamental principle of voluntary activities. If this Clause is retained the result will be that no man of self-respect and no believer of real democratic principles will ever be prepared to join or much less work a co-operative society. So I have absolutely no hesitation in condemning this Clause in the Bill.

MR. M. GOVINDA PILLAI (*Registrar of Co-operative Societies*): Sir, I oppose the amendment. The previous speaker has unfortunately omitted to mention a very pertinent circumstance. The existing provision in the Bill is neither a reproduction of any provision in any Act outside Travancore, nor is it the provision as it was originally inserted in the Bill when it was introduced into this House. The existing provision is entirely new, the result of considerable thought on the part of the Select Committee. It may also be said of the same provision that it is considerably less rigorous and more liberal than the provisions in Madras or Mysore or Bombay. Sir, this provision was first inserted in the Bill by the Devadar Committee. In their investigations, conducted throughout the State, there was an overwhelming majority in favour of the right of supersession being conferred on the Registrar. It was in pursuance of the expression of public opinion on the part of the majority of co-operators, that this provision was first introduced into this Bill. There was a conference of co-operators in Trivandrum presided by no less a personage than Mr. Ramadas Pantalu of Madras

LIBRARY ARCHIVES Kerala Legislative Assembly

and under his presidency a resolution, which has been practically reproduced in this provision, was passed. It was passed by an overwhelming majority.

MR. M. SIVATANU PILLAI (*Tovala*) : May I know whether there is an exception with regard to the financing banks ?

MR. M. GOVINDA PILLAI (*Registrar of Co-operative Societies*) : The omission of financing banks was deliberately made because there was no financing bank in Travancore as in Madras. Hence the reference to financing bank was excluded.

MR. K. PADMANABHAN (*Chirayinkil I*) : May I know whether Mr. Ramadas Pantalu in his presidential address made any reference to this provision ?

MR. M. GOVINDA PILLAI (*Registrar of Co-operative Societies*) : He made no reference at all to the present Clause. In his opening address he dilated on the original Clause and severely criticised it. But in his concluding address, he made no reference to the resolution which was passed by a large majority and according to which the present Clause has been drafted. His silence may be construed as a tacit approval of the principle therein enunciated. Till now, I have not found any deprecatory reference to the present provision.

MR. P. C. KURIYAN (*Kottayam I*) : May I know the date on which the conference was conducted ?

MR. M. GOVINDA PILLAI (*Registrar of Co-operative Societies*) : I believe, the Select Committee adopted this provision *after* the conference, because this provision is a mere reproduction of the resolution as it was passed and accepted by the conference held under the presidency of Mr. Ramadas Pantulu.

MR. M. SIVATANU PILLAI (*Tovala*) : May I ask whether Mr. Ramadas Pantulu, in his concluding address did not express regret at the Registrar's absence at the conference ?

MR. M. GOVINDA PILLAI (*Registrar of Co-operative Societies*) : He did. I was really surprised, Sir, that a man of his eminence and status should have indulged in those remarks. The Registrar was not bound to attend the conference. He had his own duties to attend to, duties entrusted to him by the Government.

PRESIDENT : Order, order : the question of the deletion of Clause 47 has no bearing on the Registrar attending that conference.

MR. P. C. KURIYAN (*Kottayam I*) : May I know whether Mr. Ramdas Pantulu made any statement deprecating the Registrar being given too much power ?

MR. M. GOVINDA PILLAI (*Registrar of Co-operative Societies*) : I did not hear.

PRESIDENT : The honourable member will repeat his question.

MR. P. C. KURIYAN (*Kottayam I*) : May I know whether Mr. Ramdas Pantulu made any observation deprecating the vesting on the Registrar too much power ?



LIBRARY ARCHIVES Kerala Legislative Assembly

MR. M. GOVINDA PILLAI (*Registrar of Co-operative Societies*): Should I dilate upon that, Sir?

I was pointing out, Sir, that our provision is far more liberal and much less rigorous than the provision in British India.

MR. M. SIVATANU PILLAI (*Tovala*): May I request the member to make a comparison between the provision here and the provisions in Madras and Mysore?

MR. M. GOVINDA PILLAI (*Registrar of Co-operative Societies*): This Bill has been published. The Madras and Mysore Acts are also published documents. It is open to the honourable member himself to institute the comparison if he wants. Anyhow, I can assure him that our provision is less rigorous and more liberal than the provision in Madras or in Mysore; it is open to him to satisfy himself about the correctness of my statement.

Sir, Mr. Sivatanu Pillai wants the Registrar to take the general bodies of the various societies into his confidence. I may say for the information of the House that in the case of several taluk banks and primary societies, during the past few years, the Registrar *has* been doing his best to remove some of the committee members, boards of managements and officers who have been mismanaging things. He has been appealing to the general bodies to see whether they would assist him in replacing unsatisfactory boards of management. But, unfortunately, there have been occasions when, due to the undue influence of and perversion of facts and figures by managements, they have succeeded in clinging to their office for years together in spite of all that the Registrar could do. In some cases the boards have continued for even 10 years and more; it has been impossible for the Department to dislodge them. The reason is not far to seek. The majority of the members of the general body are indebted to societies, and they feel they are obliged to the boards of managements for the loans that they have been able to get.

MR. M. SIVATANU PILLAI (*Tovala*): For whose benefit is a society allowed to continue?

MR. M. GOVINDA PILLAI (*Registrar of Co-operative Societies*): I have no doubt that it is for the benefit of the majority of the members. But on account of their ignorance and their inability to assert themselves due to their indebtedness, they are not able to work against the boards of management. As I have already stated, Sir, in every case, the Registrar tries his best to improve the working of the society before he adopts the rigorous and extreme step of cancellation.

MR. K. R. ELENKATH (*Kalkulam I*): May I correct the member? The Trivandrum Co-operative Conference took place in January 1936 whereas the Select Committee on this Bill held its meeting in April 1935.

MR. M. GOVINDA PILLAI (*Registrar of Co-operative Societies*): I only said, Sir, that that was my belief. If I am wrong I am open to correction. After all this is not a very material point.

LIBRARY ARCHIVES Kerala Legislative Assembly

As I have already stated, Sir, the Department has been trying its level best to remove unsatisfactory boards of management and to improve the working of the society, but our efforts have been in vain.

Sir, the Co-operative Societies Regulation has been in force from 1089; and in Madras, the Act has been working from 1912. Everywhere the necessity has been felt that the Department should be given more powers. It is not the desire here or elsewhere for the Government to interfere with this non-official activity. The only idea is that the movement should progress peacefully.

**MR. PUTHUPALLI S. KRISHNA PILLAI** (*Quilon II*): Is there any provision in the Bill to prevent the exercise of undue influence on the committee members by the Registrar?

**MR. M. GOVINDA PILLAI** (*Registrar of Co-operative Societies*): I do not understand the question.

**MR. PUTHUPALLI S. KRISHNA PILLAI** (*Quilon II*): The Registrar stated that he had to interfere when the members go wrong due to the undue influence of the board of management. I am asking whether there is any provision in the Bill which guarantees protection from undue influence by the Registrar himself.

**PRESIDENT**: Order, order; the question does not arise out of any provision in the Bill.

**MR. M. GOVINDA PILLAI** (*Registrar of Co-operative Societies*): I would again point out to the House that the provision in our Bill is much less rigorous and far more liberal than the provision in similar enactments elsewhere. I therefore oppose the amendment.

**MR. K. KUNJUKRISHNA PILLAI** (*Quilon I*): Sir, I also oppose the amendment. I am interested in the Bill, and interested in seeing that this Clause is retained, interested though not as much as my friend Mr. Sivatanu Pillai seems to be interested in seeing that this Clause is deleted. I rise to oppose this amendment for the deletion of the Clause because I feel that, unfortunately, in the co-operative movement in Travancore, at present, there are people who make it impossible for the societies to work on co-operative principles. The authorities have found it impossible to get rid of such people, to save the co-operative societies from them. In Travancore, Sir, unfortunately, occasions have arisen, even in regard to such purely self-governing institutions as municipalities, where finding that there were members in such bodies who were cantankerous and working against the corporate good but for aggrandisement of power, the authorities have found that the only remedy was not to do away with such institutions but to adopt other suitable means. There have been instances in the case of municipalities where the President and some members have been asked to quit and others have been substituted.

**MR. M. SIVATANU PILLAI** (*Tovala*): May I ask whether in the case of such municipalities, the Government were bold enough to try a re-election?

LIBRARY ARCHIVES Kerala Legislative Assembly

**MR. K. KUNJUKRISHNA PILLAI** (*Quilon I*): My friend seems to be under a misapprehension. I am not referring to any particular municipality. I am not concerned with any particular municipality, and I do not know the details of the case which my friend seems to have in view. I was only making a general remark. I am not going to allow myself to be diverted from the point at issue.

Sir, occasions have arisen when, due to the perversity of human nature, it became impossible for self-governing institutions to work up to their high ideals. Even the greatest supporters of popular movements, people who are dead against self-governing and non-official institutions being interfered with by Government agencies—even they have had occasion to recognise that there is perversion in human nature and that there is necessity under certain circumstances for the Government to intervene and control the working even of such non-official institutions. Sir, my only point is that occasions have arisen in the past when such interference on the part of Government became inevitable.

I would request the House to bear in mind the fact that the history of the co-operative movement in India is quite different from its history in the West. There, in the West, the movement was started on account of non-official initiative; and in the beginning the Governments concerned were looking at it even with some suspicion; it was only later on that the Governments recognised the merits of the movement and began to help it. That has not been the case in India. Here, the movement has been made possible by the active help and support of the Governments. If the movement has now a hold in the country it is entirely due to the initiative and the generous support of the Government. The moment the Government withdraw its control from the movement its prestige is sure to fall to the ground. It is no use arguing merely on first principles. We have to face concrete facts.

**MR. K. R. ELENKATH** (*Kalkulam I*): Does the member distinguish between control and dictatorship?

**MR. K. KUNJUKRISHNA PILLAI** (*Quilon I*): If the honourable member had understood the correct meaning of the word 'dictatorship' I am sure he would not have asked this question. The provision now in question does not provide for anything like dictatorship. It is control pure and simple that you find in it. I do not think, Sir, that I am now called upon to explain to my friend the distinction between control and dictatorship, which is so well-known. Of course, my honourable friend is at liberty to hold his own view. Only I beg of him not to impose, not to inflict upon me, his peculiar ideas, not to ask me to accept his wroug meaning - as I consider it—of words.

Sir, this provision was very carefully considered by the Select Committee. Some of us were of the opinion that there was necessity, owing to the existing conditions in Travancore, even for the more drastic provision that was in the Bill when it was introduced. Just then, the co-operative conference under the presidency of Mr. Ramdas Pantulu

LIBRARY ARCHIVES Kerala Legislative Assembly

was held. He made certain remarks in his opening speech without knowing anything of the details of the working of co-operative societies here. He was invited by a particular set of people. Even the validity of the conference and its representative character were questioned at the conference. Well, he was invited. Nobody questions his eminence as a co-operator. But let me point out, Sir, that even his most ardent admirers will agree that, in the field of co-operation, India has none greater and more eminent than the late Mr. G. K. Devadhar, the President of the Servants of India Society.

**MR. P. C. KURIYAN** (*Kottayam I*): Is the member aware that Mr. Ramdas Pantulu has been accusing Mr. G. K. Devadhar as belonging to the Bombay School of Co-operation? (*Laughter.*)

**MR. K. KUNJUKRISHNA PILLAI** (*Quilon I*): I do not wish to answer that question, Sir. I have yet to learn that it is a crime to belong to the Bombay School of Co-operators.

But what I wish to say is that the opinion of Mr. G. K. Devadhar, whose experience of co-operative movement is second to none and who has studied the conditions accurately by touring throughout the country and mingling with the people, should weigh with the House considerably. He is not a man who will advocate official interference where it is not necessary. He is not one who has not understood the principles of the co-operative movement. If personalities have to be quoted and if we are to go on the weight of the opinions of great persons then I will say that this Clause has the authority of Mr. Devadhar against the opinion of Mr. Ramdas Pantulu who has not understood the co-operative movement in Travancore. Anybody who has had anything to do with co-operative societies, who has been able to understand the incurable nature of some of the officers of some of the societies and the difficulty of dispensing with them, will support not only this but will surely advocate a more rigorous Clause. I can say that this Clause is not intended to be used, without careful consideration. I understand that this is not in consonance with the principles of co-operation. But this Clause is necessary on account of extraordinary circumstances. This dose of bitter medicine is necessary because we want actual co-operation to work and not allow bogus personalities to parade under the name of co-operators. It is necessary to protect the ordinary simple guileless co-operator from the exploitation of pseudo-co-operators. With these words, Sir, I have great pleasure in opposing the amendment.

**MR. P. C. KURIYAN** (*Kottayam I*): Sir, I too rise to oppose the amendment. It does not require a Devadhar or a Pantulu to study the conditions in Travancore. I am not a co-operator for very good reasons and my honest impression is that Travancore soil is not fertile for the co-operative movement. I would personally give the Registrar any amount of reserve powers. With these words I oppose the amendment.

**SADASYA TILAKA T. K. VELU PILLAI** (*Trivandrum-Urban*): Sir, the House has been taken through certain channels of controversy from which I had been trying to extricate myself. The opinion of other

LIBRARY ARCHIVES Kerala Legislative Assembly

[Sadasya Tilaka T. K. Velu Pillai.]

people does not count in the determination of this question. Opinions are certainly opinions, and this House should value them. But that does not mean that this House should follow anybody's opinion.

I wish to lay before the House one or two facts. The co-operative movement, Sir, has been brought into existence and nurtured carefully by the Government. I do not agree with Mr. Kuriyan that the soil is not fertile for the co-operative movement. I think that considerable weeding and manuring are necessary for the thriving of co-operation in Travancore.

There are two reasons why I oppose the amendment. Firstly, the Registrar who is appointed from time to time over the department, whom my friend Mr. Kunjukrishna Pillai called as the friend, philosopher and guide of the co-operator, never remains there. Once they have been Registrars for some time they want to go out as Peishkars.

**MR. P. C. KURIYAN** (*Kottayam I*): May I know whether the member is aware that the previous Registrar was promoted as Division Peishkar?

**SADASYA TILAKA T. K. VELU PILLAI** (*Trivandrum—Urban*): I know very much more than my friend.

**MR. P. C. KURIYAN** (*Kottayam I*): I do not concede that position.

**SADASYA TILAKA T. K. VELU PILLAI** (*Trivandrum-Urban*): As I am older than my friend I say that I know very much more than he.

My friend's question really supports me. That is why I would say rather than sending the Registrar away as Divisin Peishkar give him a decent pay.

Secondly, the Registrar is an innocuous man, an officer whose duty is quite different from that of District Superintendents of Police. Therefore, it was necessary after a careful examination of all the relevant facts to add to the powers of the Registrar. A conference sat in Trivandrum. How opinions can be manufactured in conferences is a matter known to everybody. If an able speaker puts a case before a multitude he will carry the day. I have travelled in various parts of the country and some months ago I had to open a co-operative conference in Perumpavur at which Mr. Govinda Pillai was also present. I asked many important persons of the locality about this increased power proposed to be given to the Registrar. I have not heard any man say that these powers should not be given.

**MR. M. SIVATANU PILLAI** (*Tovala*): May I know Sir, whether the testimony is relevant here?

**PRESIDENT**: The honourable member will proceed.

**SADASYA TILAKA T. K. VELU PILLAI** (*Trivandrum-Urban*): Since the opinions of important persons have been placed before the House I thought I might refer to this. I am trying only to give moderate powers to the Registrar. These powers are necessary in the interests of the co-operative movement.

**MR. PUTHUPALLI S. KRISHNA PILLAI** (*Quilon II*): Sir, I oppose the amendment. My reasons are based on actual experience gathered

LIBRARY ARCHIVES Kerala Legislative Assembly

during the last few years. The Registrar of Co-operative Societies is an officer with a lot of responsibilities and considerable power. But he has various disabilities. One of those is the absence of power to interfere in the management of societies whenever interference is called for. The result is that under the existing Regulation he can always pass orders, he can always advise the societies, but he cannot interfere and bring into effective force the advice he gives. The result was that he must use the penal powers of cancelling a Society, but he cannot use those powers as there may not be sufficient reasons for that course. My opinion is that he must have powers to admonish the committees, in regard to the audit report, in regard to the bye-laws, and in regard to the cancellation of orders passed by him. My submission is that this Clause is necessary in order to give powers to the Registrar over the committees. If the Registrar has to work properly and carry out the provisions of the Regulation, I submit that the provision similar to this is absolutely necessary. With these few words, I oppose the amendment.

**MR. S. J. NAIR** (*Nedumangad*) : Sir, I too oppose the amendment. If there is any provision in this Bill that would advance the cause of co-operation, I humbly submit that it is this provision. By means of this provision the Registrar is not made a dictator or an autocrat. When the Registrar finds that the committee of a society is not functioning properly the best thing he can do is to give an opportunity for the committee to clean its own Augean stables. If the Registrar finds that the committee is either unwilling, or unable to do so, he can supersede that committee by appointing another. Suppose that committee also fails, then the Registrar has got power under this Clause to appoint another committee. He cannot appoint that committee as he pleases. He must appoint members of that committee from amongst the members of the particular society and not from outside.

**MR. K. R. ELENKATH** (*Kalkulam I*) : May I ask whether the Registrar is given powers even to nominate persons who are not members of the societies ?

**MR. S. J. NAIR** (*Nedumangad*) : The Registrar can only nominate members from the society, and not any one from outside the society. This is what the Clause says :

> " He may, by order in writing, dissolve the committee and appoint a suitable committee consisting of as many members of that society as he may deem necessary to manage the affairs of the society for a specific period not exceeding one year ".

**MR. K. R. ELENKATH** (*Kalkulam I*) : Is it obligatory on the part of the Registrar to nominate only members of the society ?

**MR. S. J. NAIR** (*Nedumangad*) : He cannot appoint any man from outside the society as he pleases. His powers are being restricted. The Registrar can ordinarily appoint them only for a period of one year. But he may extend that period from time to time provided that the total period shall not exceed two years.

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. S. J. Nair.]

After the expiry of the appointed period that committee will have to convene a meeting of the society and the members of the society have got power to elect a new committee as they please. So by this provision in the Bill the Registrar is not given any unnecessary power at all, so that he could interfere with the workings of the principle of co-operation in regard to co-operative societies. He can only help the members of the society in order to advance the spirit of co-operation among themselves and safeguard the interests of the society. There is absolutely nothing, as some of my friends fear, that the Registrar may supersede societies and do this and that. He could not do so under the provisions of the Bill. So I oppose the amendment.

**PRESIDENT**: The amendment before the House is that Clause 47 be deleted.

The amendment was put to the vote of the House and lost.

**MR. R. SIVARAMAN NAIR** (*Tiruvalla II*): I move the following amendment:—

"*In Clause 47 add the following as sub-clause (6):*

*Any person aggrieved by the order of the Registrar under sub-section (1) dissolving a committee and appointing a new committee may appeal to Our Government within two months from the date of the order.*"

This amendment incorporates a general provision for an appeal on the order of the Registrar superseding a society. There is a volume of public opinion against this Clause. It is said that this Clause is against even the very principles of co-operation. The amendment I have suggested is a very modest provision. It only gives power to the aggrieved party to appeal to the Government on the order of the Registrar. I don't propose to say anything more, since much about this, was said when the former amendment was moved.

**MR. M. SIVATANU PILLAI** (*Tovala*): I second it.

**MR. KAYALAM PARAMESVARAN PILLAI** (*Additional Head Sirkar Vakil*): Sir, I oppose the amendment. It is quite unnecessary that orders under this Clause should be subject to appeal. It will be seen that the first order under this Clause is one calling upon the society to elect a new committee. Is it the opinion of the honourable members that this order should be appealed against? If so, who is the aggrieved party? Not the society. Because the society it is, that elects the committee. Then who is it that is aggrieved? The late committee? Why should that committee appeal against an order allowing the society to elect a committee? It is such committees that want to stick to office that ruin societies. Such committees should not be tolerated.

**MR. M. SIVATANU PILLAI** (*Tovala*): But the committee also is a part of the society.

**MR. KAYALAM PARAMESVARAN PILLAI** (*Additional Head Sirkar Vakil*): But who is the aggrieved party, the society or the committee? And against whom is the appeal? Against the society?

LIBRARY ARCHIVES Kerala Legislative Assembly

The amendment was put to the vote of the House and lost.

The question that Clause 47do stand part of the Bill was then put to vote and carried.

Clause 47 was added to the Bill.

The question that clauses 48 to 56 do stand part of the Bill was then put to vote and carried.

The Clauses were added to the Bill.

**Clause 57.**

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I move the following amendment :—

*In Clause 57, sub-clause (1) add the following proviso, namely :—*

*" Provided that it shall be competent to Our Government, subject to rules, if any, as may be prescribed, to revise any decision passed by the Registrar under Clause (a) of sub-section (2) of Section 56.*

The object of this Clause is to provide a supervising authority in respect of the decision of the Registrar when he is the first deciding authority. It is seen from Clause 57 that whenever a dispute arises the Registrar may either decide it himself or he may refer it to certain other authorities. If the Registrar himself takes the initiative and decides it there is nobody to supervise it. The existence of a supervising authority will act as an inducement to the first deciding authority, the Registrar in the present instance, to exercise greater care in the matter of his decisions. It is for this reason that I propose this amendment.

MR. C. V. CHANDRASEKHARAN (*Ag. Director of Public Instruction*) : I second it.

MR. M. SIVATANU PILLAI (*Tovala*) : I oppose the amendment. There is no necessity to supervise the decision arrived at by the Registrar because the Registrar forms no part of the society. Besides it must be presumed that he is the agent of Government and as such no supervising authority is needed.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : I also oppose the amendment. I am rather surprised that from the attitude that has been taken by the Government in regard to other provisions of a similar nature they should move this amendment. It seems to me to be inconsistent. After the other amendments of a similar nature were passed on behalf of Government so that there should not be any dilatoriness in the proceedings, appeals in such cases cause delay. If there is no substantial case an appeal should not be made to lie with the Dewan. Here the Government themselves bring an amendment that there must be an appeal from the decision of the Registrar. What will Government do if the Registrar himself does not refer the matter to any other body, because the Registrar has got that power? Then no appeal will lie. This amendment will be dangerous because the Registrar will see that he does not refer the matter to any authority fearing that he may have to sit in judgment over that and after that his judgment will be revised by Government. It will lead to unnecessary delay. What is wanted is that things should not be kept pending unnecessarily. How



LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. K. Kunjukrishna Pillai.]

many appeals have been provided to Government? If an appeal is provided to Government in these matters it is likely to take longer time for decision, however vigilant a Government might be, because, appeals may be numerous. What is the good of that? Further the Registrar could circumvent this provision. He can at the first instance see that the matter is not referred to another authority and thus avoid an appeal on his decision. That will lead to further hardship, because, even in cases where he thinks there is necessity of referring the matter to another authority, he will not do it fearing that ultimately his decision might be overruled. I am rather surprised to find the Law Member taking this attitude when he comes to this Clause. I do not see and I am not convinced of the necessity for the provision of an appeal to Government in this matter. Therefore I oppose the amendment.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I also oppose the amendment on this ground. Section 65 gives power to Government to revise any order of the Registrar. The Section reads as follows:—

> "Our Government or the Registrar may call for and examine the record of any enquiry or the proceedings of any officer subordinate to them or him for the purpose of satisfying themselves or himself as to the legality or propriety of any decision or order passed and as to the regularity of the proceedings of such officer. If in any case it shall appear to Our Government or the Registrar that any decision or order or proceedings so called for should be modified, annulled or reversed, Our Government or the Registrar, as the case may be, may pass such order thereon as to them or him may seem fit. The revising authority may also pass any interim order on such conditions or otherwise as it deems fit."

That is sufficiently comprehensive and I do not think why a proviso should be added to Clause 57.

MR. S. J. NAIR (*Nedumangad*): I support the amendment of the Law Member. The reason is that under Clause 56 enormous powers have been vested with the Registrar. After all, the Registrar is only a human being. To err is human. To say that when once the Registrar, a human being, errs that there shall not be an appeal upon the wrong he has committed, is not doing justice to the parties who are aggrieved. Further, the amendment says that an appeal shall lie to Government. It does not say that an appeal shall lie to any individual or to the Chief Secretary to Government or to the Dewan. The proviso says:—

> "provided that it shall be competent to Our Government subject to such rules if any – to revise any decision passed by the Registrar".

So an appellate authority is vested with the Government of Travancore and any society or party that is affected as a result of the decision of the Registrar has the right to appeal to the Government of Travancore. It is the greatest honour nay, privilege and safety, that could be conferred on the aggrieved party. Therefore I support the amendment.

MR. POTTAYIL S. KRISHNA PANICKAR (*Shertala II*): I oppose the amendment. Under Section 56 the Registrar is constituted an arbitrator under the provisions of this Regulation.

(At this stage the Deputy President took the Chair).

Against the decision of an arbitrator nowhere in Civil law is an appeal allowed.

LIBRARY ARCHIVES Kerala Legislative Assembly

The award of an arbitrator is not a judicial decision and the Registrar is not called upon to make a judicial decision. Even though he is bound by certain rules of evidence, his decision is considered to be final and as such whether it is to Government or to some other extraneous body, an appeal against the award of the Registrar cannot be allowed. On that simple principle I oppose this amendment.

**MR. KAYALAM PARAMESVARAN PILLAI** (*Addditional Head Sirkar Vakil*) : Sir, the provision that I want to include is of the nature of a reserve power which may be exercised if it is thought fit.

The amendment was put to vote and carried.

Clause 57 as amended was put to vote and carried.

The Clause as amended was added to the Bill.

**Clause 58.**

Clause 58 was put to vote and carried.

The Clause was added to the Bill.

**Clause 59.**

**MR. KAYALAM PARAMESVARAN PILLAI** (*Additional Head Sirkar Vakil*) : Sir, I beg to move the following amendment :—

"*In Clause 59, line 3 after the figure 56 insert the following namely:—*

"*or by Our Government under the proviso to Section 57, Sub-Section (1)*".

It is only a consequential amendment.

**MR. M. GOVINDA PILLAI** (*Registrar of Co-operative Societies*) : I second it.

The amendment was put to vote and carried.

Clause 59 as amended was put to vote and carried.

The Clause as amended was added to the Bill.

**Clauses 60 to 72**

Clauses 60 to 72 were put to vote and carried.

The Clauses were added to the Bill.

**Clause 73**

**MR KAYALAM PARAMESVARAN PILLAI** (*Additional Head Sirkar Vakil*) : I beg to move the following amendment :—

"*In Clause 73, 2nd para, lines 1 and 2, for the words "for which he purchased substitute the words "against the purchase"*.

In this Clause some how or other some words have been omitted or some mistakes committed. As it now stands it does not convey any meaning. The Clause as it stands now reads thus :—

"The sum due to the purchaser may be set off in whole or in part for which he purchased money ....."

To correct that mistake I have brought forward this amendment.

**MR. M. GOVINDA PILLAI** (*Registrar of Co-operative Societies*) : I second it.

The amendment was put to vote and carried.

The Clause as amended was put to vote and carried.

The Clause as amended was added to the Bill.

LIBRARY ARCHIVES Kerala Legislative Assembly

**Clauses 74 and 75**

Clauses 74 and 75 were put to vote and carried.

The Clauses were added to the Bill.

**Preamble and Title.**

The question that the Preamble and Title do form part of the Bill was then put to vote and carried.

The Preamble and Title were added to the Bill.

**MR. KAYALAM PARAMESVARAN PILLAI** (*Additional Head Sirkar Vakil*): Sir, the next stage of this Bill is the third reading. As some amendments have been carried to-day, I propose to make the motion for passing the Bill only to-morrow.

## THE TRAVANCORE TRADE UNIONS BILL.

**MR. KAYALAM PARAMESVARAN PILLAI** (*Additional Head Sirkar Vakil*): Sir, I beg to present the report of the Select Committee on the Travancore Trade Unions Bill and beg to move that the Bill as reported by the Select Committee be taken into consideration.

**MR. M. GOVINDA PILLAI** (*Registrar of Co-operative Societies*): I second it.

**Clause 1**

Clause 1 was put to vote and carried.

The Clause was added to the Bill.

**Clause 2.**

**MR. P. S. MAHOMED** (*Co-opted*): സർ, ഞാൻ ഈ ഭേഗതിയെ ഇവിടെ അവതരിപ്പിച്ചുകൊള്ളുന്നു :—

*In clause 2, sub-clause (g), line 4, omit the word "or" between the words "trade" and "industry" and add the following after the word "industry" "or organised plantations."*

ആർഗനൈസ്ഡ് വർക്കുമെൻ എന്ന നിലയിൽ പ്ലാന്റേഷൻസിൽ ജോലിചെയ്യുന്നവരെക്കൂടി ഈ ബില്ലിന്റെ പരിധിയിൽ കൊണ്ടുവരണമെന്നുള്ളതാണ് എന്റെ ഉദ്ദേശം. സിലക്റ്റുകമ്മറ്റിയിൽ ഇതിനെ സംബന്ധിച്ചു വാദപ്രതിവാദം നടത്തിയതിൽ ഇൻഡസ്ട്രി എന്ന പദത്തിൽ ആർഗനൈസ്ഡ് വർക്കുമെൻ എല്ലാം ഉൾപ്പെടുമെന്നു ഭൂരിപക്ഷം മെമ്പർമാരും അഭിപ്രായംപുറപ്പെടുവിച്ചതുകൊണ്ടു പ്ലാന്റേഷൻ എന്നപദം ഇവിടെ ആവശ്യമില്ലെന്നു നിശ്ചയിച്ചു. എന്നാൽ പ്ലാന്റേഷനിൽ ജോലിചെയ്യുന്നതായ ആളുകൾ മറ്റു വ്യവസായശാലകളിൽ തൊഴിൽചെയ്യുന്നവരെപ്പോലെ ഉള്ളവരാണെന്നു അത്ഥം വരുത്തുകയിലായിൽ ഒരു വകുപ്പും ഈ ബില്ലിൽ കാണുന്നില്ല. വ്യവസായങ്ങളിലെ പല വശങ്ങളും പ്ലാന്റേഷൻസിലുണ്ടെങ്കിലും പ്ലാന്റേഷൻസിൽ പ്രത്യേകമായ ചില വ്യത്യാസങ്ങളുണ്ടെന്നാണ് റായൽ

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